

**COMMONWEALTH OF MASSACHUSETTS
UNITED STATES' DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CIVIL CASE NUMBER:

18 CV 11029

**CHUKWUMA E. AZUBUKO
Plaintiff**

V.

- 01) EASTERN BANK INCORPORATION**
- 02) MAYNARD M. KIRPALANI & IN INDIVIDUAL & OFFICIAL CAPACITIES**
- 03) KELLY JORDAN-PRICE – IN INDIVIDUAL & OFFICIAL CAPACITIES**
- Defendants**

COMPLAINT

INTRODUCTION

The proceedings associates with the first Defendant financing of the Plaintiff's car purchase from the Clair Motors located at West Roxbury, Massachusetts, in 2000. The total cost was \$31,000.00 plus for an Honda CRV. The payment period was five-year. Glory, the Plaintiff managed to pay it off in 2003; the Plaintiff's last payment was \$10,000.00 at the first Defendant's South Boston branch. The case had been to court before. In essence, this is not the first filing. At the Essex Superior Court, it was Chukwuma E. Azubuko v. Eastern Bank. The docket number was 1377-CV-0070-B. It was assigned to the second Defendant and he characteristically wobbled over it or knowingly condemned the Plaintiff to miscarriage of justice. The third Defendant was the attorney on the case on behalf of the first Defendant. Evidently, she

failed to honor her oath of attorneyship to defending, protecting and upholding the law. She aimed at rationalization of illegality during the hearing.

PARTIES

The Plaintiff resides in the Suffolk County – Massachusetts. His contact address will be as stated below. The first Defendant's contact address is: 265 Franklin Street, Boston – MA 02110. The second Defendant is a Massachusetts' official and he works at Middlesex Superior Court. On individual capacity, his address will be: 200 Trade Center Drive, Woburn – MA 01801. On official capacity, it will be: Massachusetts' Attorney General, Government Bureau and Trial Division, Boston – MA 02108. The contact address for the third Defendant on individual and official capacities will be: Hinckley Allen & Snyder LLP, 28 State Street, Suite 29, Boston – MA 02109.

JURISDICTION

That exists constitutionally, statutorily and procedurally. [Article III Sec. 2; Fifth Amendment; 11th Amendment; 14th Amendment Sec. 1; 15 U.S.C. Sec. 1615; 28 U.S.C. Secs. 1361, 2505 and 2680(h); 42 U.S.C. Sec. 1981-86; Mass. Const. Arts. 6, 10, 11 and 12; G.L.c. 12 Secs. 11H-11J; G.L.c. 93 Secs. 10 and 102; G.L.c. 249 Secs. 5 and 6; G.L.c. 258 Secs. 1-10]

VENUE

That is right too unless the Defendants challenge it on the basis of false reasonings, which legal's ethics forbids!

STANDING

That should not be in dispute! Privity of contract or contacts exist with the necessary parties, all things being equal.

BASES OF COMPLAINT

COUNT ONE

That the first Defendant acted on the basis of “Rule of 78’s,” so as to not to refund refund the Plaintiff his accrued unearned interest as required by the 15 U.S.C. Sec. 1615 since 2003.

COUNT TWO

That the first Defendant knowingly failed to refund the Plaintiff an unearned interest paid to her on the basis of two-year – 365 days x 2 x the daily interest rate.

COUNT THREE

That the first Defendant’s failure refund the Plaintiff the unearned interest culminated into deprivation of the Plaintiff enormous property’s interest.

COUNT FOUR

The second Defendant knowingly condemned the Plaintiff to blatant miscarriage of justice for reason/s best known to him.

COUNT FIVE

That the actions of the second Defendant resoundingly qualifies for breach of his oath of office, treason and perjury.

COUNT SIX

That the third Defendant knew very well that the second Defendant was acting unlawfully or “out all jurisdiction” and did nothing about it and that meant violation of her oath of office too.

COUNT SEVEN

That the third Defendant’s actions or “see no evil and hear no evil” conduct lends itself to this excerpt associated with treason: it reads thus:

“Any judge or attorney who does not report the above judges for treason as required by law may themselves be guilty of misprision of treason, 18 U.S.C. Section 2383.”

COUNT EIGHT

That the Defendants’ condemnable actions qualify indisputably for intentional infliction of emotional distress [on the Plaintiff]

COUNT NINE

That the Defendants’ actions qualify vividly for negligent infliction of emotional distress.

COUNT TEN

That the Defendants’ actions justify lack of *skill*.

COUNT ELEVEN

That the Defendants’ actions justify *deliberate indifference*.

PLAINTIFF’S DEMAND FOR JURY TRIAL

The Plaintiff expresses no interest in the bench’s trial as far as this case goes. Consequently, condemnation of Plaintiff to bench’s trial is purely unacceptable, the Plaintiff will be afraid.

The sub-head is lawful or matches with the law, indeed! [Mass. Const. Art. 15; Seventh Amendment]

RELIEVES SOUGHT

That the Court should order the vacation of the case against the first Defendant and judgment entered in favor of the Plaintiff. The law on the unearned interest is very clear [as every school boy knows] Secondly, the Plaintiff will demand letters of apology from the second and third Defendants for knowingly condemnation of the Plaintiff to torture and miscarriage of justice devoid of moral qualm.

COMPENSATORY AND PUNITIVE DAMAGES

On the first Defendant, it will be \$3m; on the second Defendant, it will be \$4m and \$6m on individual and official capacities. For the third Defendant, it will be \$3 and \$5m on individual and official capacities respectfully. Cost and interest will be excluded [as is the rule]

CONCLUSION

Above all, could “Justice be done and be seen to be done,” at all material times and irrespective of whose ox will be gored or how highly placed?

A handwritten signature in black ink, appearing to read 'Chukwuma E. Azubuko', is written over a horizontal line.

CHUKWUMA E. AZUBUKO

Pro Se

P O Box 171121

Boston – MA 02117

Telephone: (857) 417 2044

Dated: Wednesday – November 14th – 2018.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

SOUTHERN DIST, NEW YORK

CHUKWUMA E AZUBUKO

Plaintiff(s)

v.

Civil Action No.

EASTERN BANK INC.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Eastern Bank Inc.
265 Franklin Street
Boston - MA 02110

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chukwuma E. Azubuko
P O Box 171121
Boston - MA 02117-1351

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

SOUTHERN DIST. of NEW YORK

Chukwura E. Azubuko

Plaintiff(s)

v.

Civil Action No.

Kelly Jordan-Price - In Ind. & Official Capacity

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Kelly Jordan-Price
Hinkley Allen & Snyder LLP
28 State Street - Suite 29
Boston - MA 02109

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chukwura E. Azubuko
P O Box 171121
BOSTON - MA 02117-1351

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

SOUTHERN DIST. of NEW YORK

Chukwura E. Azubuko

Plaintiff(s)

v.

Civil Action No.

Maynard M. Kirpalani - Official Cap.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Maynard M. Kirpalani
70 Massachusetts Attorney General
Government Bureau Trial Division
One Ashburton place, Boston - MA 02108

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chukwura E. Azubuko
P O Box 171121
BOSTON - MA 02117-1351.

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

SOUTHERN DIST. of NEW YORK

Chukwura E. Azubuko

Plaintiff(s)

v.

Civil Action No.

Maynard M. Kirpalani — Individual Cap.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Maynard M. Kirpalani
200 Trade Center Drive
Woburn — MA 01801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

C E Azubuko Esq;
P O Box 171121
BOSTON - MA 02117-1351



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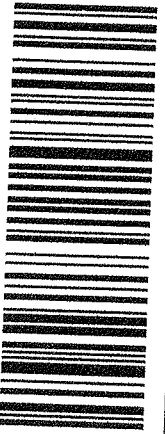
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The Clerk
United States District Court
Southern District of New York
Pro Se Division
500 Pearl Street
NEW YORK - N Y 10007

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CERTIFIED MAIL

